

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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MARIE HOAGLAN,

Plaintiff,

Case No. 20-cv-425-pp

v.

GREDE HOLDINGS LLC,

Defendant.

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**ORDER DENYING WITHOUT PREJUDICE PARTIES' JOINT MOTION FOR  
SETTLEMENT APPROVAL (DKT. NO. 26)**

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On November 11, 2021, the parties filed in this Wisconsin Wage Payment and Collection Laws (WWPCL) class action and FLSA collective action case a stipulation to certify a collective action under §216(b) of the FLSA, dkt. no. 25, and a joint motion for settlement approval, dkt. no. 26. The parties explained why they believe the settlement is fair and reasonable, id., and attached the settlement agreement, dkt. no. 26-1.

The court will deny the parties' joint motion without prejudice. First, the court cannot tell what the parties are requesting. The motion is titled "Joint Motion for Settlement Approval." Dkt. No. 26 at 1. The brief in support is titled "Memorandum of Law in Support of Joint Motion for *Preliminary* Approval of FLSA Class Collective Settlement." Dkt. No. 27 at 1 (emphasis added). Also in the brief in support is a section titled "The Criteria for *Final* Approval Have Been Satisfied." Id. at 6 (emphasis added). The proposed order is titled "*Final*

Order Approving Settlement,” dkt. no. 26-2 at 1 (emphasis added) and it proposes to dismiss the case with prejudice, id. at 3. While other courts have provided a template for one-step approval of settlement for collective class settlements, see, e.g., Heuberger v. Smith, No. 3:16-CV-386 JD, 2019 WL 3030312, \*2 (N.D. Ind. Jan. 4, 2019)), the parties have not asked that this court do so.


Second, the settlement agreement explicitly says that a fairness hearing will be scheduled, dkt. no. 26-1 at 4, but neither the motion nor the brief in support requests a fairness hearing (or mentions a fairness hearing at all).

The court **DENIES WITHOUT PREJUDICE** the parties’ joint motion for settlement approval. Dkt. No. 26.

The court **ORDERS** the parties to file an amended motion by the end of the day on **May 31, 2022**. The parties should clean up and clarify their request so that it reflects the agreement between the parties and clearly states what kind of approval the parties are seeking. If the parties need a fairness hearing, they should say so.

Dated in Milwaukee, Wisconsin this 20th day of May, 2022.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
**Chief United States District Judge**